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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,751

08/21/2006

Stephen Brown

3003-1185

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466 7590 03/23/2009
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EXAMINER

STEITZ, RACHEL RUNNING

ART UNIT

PAPER NUMBER

3732

MAIL DATE

DELIVERY MODE

03/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/586,751	Applicant(s) BROWN, STEPHEN	
	Examiner Rachel R. Steitz	Art Unit 3732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-12 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 7-12, 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 5, 7-9, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park (US 2004/0168699) in view of Fukuyama (US 7,165,557).

Regarding claim 1, Park discloses a method of joining a hairpiece (20) to a lock of hair (22) to provide a hair extension the method comprising the steps of bringing together adjacent regions of the hairpiece and the lock of hair in contact with an adhesive (30) (see Figure 1; paragraph 23). The adhesive (30) has been pre-applied to the adjacent region of the hairpiece and exposing the hairpiece to heat to cure the adhesive to thereby bond the hairpiece to the lock of hair (see Figure 1; paragraph 24). Park does not disclose the adhesive being curable by UV radiation and exposing the adhesive to UV radiation to cure the adhesive.

Fukuyama teaches a hair device that uses an adhesive curable by UV radiation and exposing the adhesive to UV radiation to cure the adhesive (column 12, lines 60-70). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Park to have an adhesive curable to UV radiation and then exposing the adhesive to UV radiation rather than heat to cure the

Art Unit: 3732

adhesive as taught by Fukuyama in order to reduce the thickness of the overall hairpiece.

Regarding claim 4, the combination of Park and Fukuyama further includes the step of clamping the adjacent regions of the hairpiece and the lock of hair in a tool (28) and then exposing the adhesive (30) to the UV radiation to cure the adhesive (see Figure 1 of Park).

Regarding claim 5, the combination of Park and Fukuyama discloses the method wherein the adhesive is cured using a process which does not require a significant input of thermal energy (column 12, lines 60-67 of Fukuyama).

Regarding claim 7, Park discloses a tool (28) for the attachment of a hairpiece (20) to a lock of hair (22) using an adhesive (30) the tool comprises a clamp means (42) for clamping together in use, in an abutting or overlapping fashion adjacent end regions of the lock of hair and the hairpiece and a means for directing a heat source at the abutting or overlapping adjacent end regions (see Figures 4 and 5; paragraph 38). Park does not disclose the adhesive being curable by exposure to UV radiation and the tool having a means for direction UV radiation instead of heat to the abutting region.

Fukuyama teaches a hair device that uses an adhesive curable by UV radiation and exposing the adhesive to UV radiation to cure the adhesive (column 12, lines 60-70). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Park to have an adhesive curable to UV radiation and then exposing the adhesive to UV radiation rather than heat to cure the

Art Unit: 3732

adhesive as taught by Fukuyama in order to reduce the thickness of the overall hairpiece.

Regarding claim 8, the combination of Park and Fukuyama disclose the tool having two jaw members (44,48) mounted for relative hinging movement (see Figure 4 of Park).

Regarding claim 9, the combination of Park and Fukuyama disclose at least one surface of the two jaw members including a groove (58) or a profiled guide region for isolation the lock of hair (see Figure 4 of Park).

Regarding claim 11, Park discloses a hairpiece (20) having an amount of curable adhesive material provided on a bonding region (30) at an end region of the hairpiece. Park does not disclose the adhesive being curable by UV radiation.

Fukuyama teaches a hair device that uses an adhesive curable by UV radiation and exposing the adhesive to UV radiation to cure the adhesive (column 12, lines 60-70). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Park to have an adhesive curable to UV radiation and then exposing the adhesive to UV radiation rather than heat to cure the adhesive as taught by Fukuyama in order to reduce the thickness of the overall hairpiece.

Regarding claim 12, the combination of Park and Fukuyama disclose a kit comprising hairpiece (20) in combination with the tool (28).

Art Unit: 3732

3. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park and Fukuyama as applied to claims 8 and 9 above, and further in view of Gang (US 5,894,846).

The combination of Park and Fukuyama disclose the claimed invention except for the tool comprising a switch for actuating a source.

Gang discloses a tool comprising a switch (40) for actuation a source (see Figure 3; column 6, lines 25-30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tool of Park to include a switch as taught by Gang in order to actuating the source.

Response to Arguments

4. Applicant's arguments filed February 2, 2009 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel R. Steitz whose telephone number is (571)272-1917. The examiner can normally be reached on Monday-Friday 7:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cris Rodriguez can be reached on (571) 272-4964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robyn Doan/
Primary Examiner, Art Unit 3732

/Rachel Running Steitz/
Examiner
Art Unit 3732

3/19/2009